

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL NO. 5:12CV121-RLV
(5:09CR21-RLV-DCK-1)

KAREEM KABBAR WEBB,)
)
 Petitioner,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

This matter is before the Court on Petitioner's Motion for Reconsideration, (Doc. No. 9), of the Court's prior Order dismissing Petitioner's 28 U.S.C. § 2255 Motion to Vacate, Set Aside, or Correct Sentence on the ground that, in his written plea agreement, Petitioner waived the right to bring his claims in a 2255 motion to vacate. Petitioner contends in his motion for reconsideration that it is unfair for the Government to enforce the plea waiver in his case when the Government has declined to enforce other petitioner's plea waivers in which other petitioners also waived their right to bring a claim under United States v. Simmons, 649 F.3d 237 (4th Cir. 2011). Petitioner's Motion for Reconsideration is denied, as the Government is entitled to seek selective enforcement of a waiver in a plea agreement, United States v. McCaskey, 521 F. App'x 98, 103 (4th Cir. 2013) (citing United States v. Brock, 211 F.3d 88, 90 n.1, 92 n.6 (4th Cir. 2000)).

IT IS HEREBY ORDERED that Petitioner's Motion for Reconsideration, (Doc. No. 9), is **DENIED**.

Signed: August 26, 2014

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the text.

Richard L. Voorhees
United States District Judge

